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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,017	03/31/2004	Byung Eun Yoo	F-8177	2616
28107 7590 09/24/2007 JORDAN AND HAMBURG LLP 122 EAST 42ND STREET SUITE 4000 NEW YORK, NY 10168			EXAMINER GILBERT, ANDREW M	
			ART UNIT 3767	PAPER NUMBER
			MAIL DATE 09/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/816,017		YOO, BYUNG EUN	
	Examiner		Art Unit	
	Andrew M. Gilbert		3767	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/10/2007 has been entered.

Acknowledgements

2. This office action is in response to the reply filed on 7/10/2007.
3. In the reply, the Applicant cancelled claim 5 and added new claims 6-8.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the limitation "a one way valve disposed between said *input port* and said pump body" (lns 12-13, emphasis added). In view of Applicant's Figure 2 the limitation seems to be misleading. The Applicant has first recited a first one-way valve (ie, 11, Fig 2) between the input port and the pump body connection port. Then, the Applicant attempts to claim a one-way valve disposed between the input port and the pump body connection port – but this valve has already

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been claimed. The Examiner believes the Applicant intended to recite a one-way valve (ie 12, Fig 2) disposed between the *output port* and the pump body connection port.

The Examiner has assumed this for the purpose of this examination. Appropriate correction is required.

6. Claim 1 is further objected to because of the following informalities: In Claim 1, Ins 12, the Applicant recites the limitation "to said pump body body connection port". Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by C. A. Jozansi, hereafter "Jozansi" (US Pat No 39, 348). Jozansi discloses a portable irrigator (see Figures) which is hand operable for irrigating an a body cavity and which is connectable to a liquid reservoir (pg 2, col 1), comprising: a rigid body member (A', B, B', C; wherein the tubes are disclosed as metallic tubes (pg 1, col 2) having an input port (E'), an output port (I') and a pump body connection port (A'), said rigid body member defining a body member passage communicating said input port (A'-E'), said pump body connection port (A'-C), and said output port(A'-C-I'), said input port and said output port being disposed at first and second opposing ends of said rigid body member (Figures)

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and said pump body connection port being disposed extending downward (A') from said rigid member body at a position intermediate said input port and said output port (I', A', E' in Figures); said rigid body member having a first one way valve (M') disposed between said input port and said pump body connection port so as to introduce liquid from said liquid reservoir to said pump body connection port (pg 2, col 1), a one way valve (J) disposed between said output port and said pump body connection port so as to introduce liquid from said pump body connection port to said output port (pg 2, col 1); a pump device configured as a squeezable bulb (R) rigidly connected to said pump body connection port of said rigid body member at a predetermined orientation relative to said rigid body member so as to extend from said rigid body member as a handle device (Figures; pg 2, col 1) and configured to support said rigid body member when grasped, said squeezable bulb defining a collapsible cavity (R) communicated to said pump body connection port for receiving and expelling liquid from said liquid reservoir (pg 1, col 2 and pg 2, col 1); a suction hose (C') connected to said input port and transferring the liquid contained in the liquid reservoir to said body member passage (pg 2, col 1); an injection nozzle (F) connected to said output port configured to expel said liquid expelled from said pump device and received via said body member passage (Figures; pg 2, col 1).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jozansi in view of Skow (6620132). Jozansi discloses the invention substantially as claimed and additionally discloses wherein the injection nozzle has a plurality of holes disposed radially at a leading end of said injection nozzle to eject the liquid (Q, pg 2 last paragraph in the 2nd column – pg 3, first paragraph in column 1).

11. However, Jozansi does not expressly disclose said rigid body member has a tubular flange disposed at a leading end of said input port and a radial flange disposed receded from an end of said tubular flange, and said suction hose is firmly fitted over said tubular flange and extends to said radial flange; and said output port has a threaded outer surface through which said injection nozzle is detachably coupled to said threaded outer surface via screw coupling.

12. Skow teaches that it is known to have said rigid body member has a tubular flange disposed at a leading end of said input port (Fig 19, luer lock fitting female or male, where there is a tubular flange shown sticking out from the luer lock fitting) and a radial flange disposed receded from an end of said tubular flange (Fig 19, luer lock fitting male, where there is a radial flange being the rotating locking part of the luer lock), and said suction hose is firmly fitted over said tubular flange and extends to said radial flange (Fig 18-19, luer lock fitting male, where the radial flange rotates to firmly fit the flexible tube 192 over the tubular flange); and said output port has a threaded outer surface through which said injection nozzle is detachably coupled to said threaded outer

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surface via screw coupling (Fig 19, leur lock female or male) for the purpose of connecting the input and output tubes to the squeeze bulb pump. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the connections as taught by Jozansi with the connections as taught by Skow for the purpose of connecting the input and output tubes to the squeeze bulb pump.

Response to Arguments

13. Applicant's arguments with respect to claims 6-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

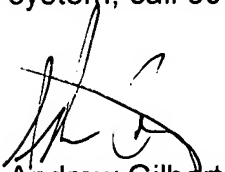
14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. D539416; 1925230; 3892226.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew M. Gilbert whose telephone number is (571) 272-7216. The examiner can normally be reached on 8:30 am to 5:00 pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Sirmons can be reached on (571)272-4965. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Andrew Gilbert

KEVIN C. SIRMONS
SUPERVISORY PATENT EXAMINER

